

# **EXHIBIT 17**

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CIVIL COURT : NEW YORK COUNTY

JAY K. HOFFMAN PRESENTATIONS, INC.,

Plaintiff,

-against-

MARVEL COMICS GROUP,

Defendant.

110 East 59th Street  
New York, N.Y.

November 19, 1974  
2:30 o'clock p.m.

Examination before trial of Defendant MARVEL  
COMICS GROUP, by ALBERT E. LANDAU, taken by  
Plaintiff pursuant to notice.

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150 Nassau Street

New York, N.Y. 10038

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### z      Appearance:

3 HOWARD N. BELDOCK, ESQ.,  
4 Attorney for Plaintiff,  
110 East 59th Street  
New York, N.Y.

MESSRS. KENYON & KENYON,  
REILLY, CARR & CHAPIN  
Attorneys for Defendant  
59 Maiden Lane  
New York, N.Y.  
BY: STUART J. SINDER,  
of Counsel

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11 IT IS HEREBY STIPULATED AND AGREED by and between  
12 the attorneys for the respective parties hereto that:

13                   All rights provided by the C.P.L.R., including  
14                   the right to object to any question or to move to strike  
15                   any testimony at this examination are reserved; and,  
16                   in addition, the failure to object to any question or to  
17                   move to strike testimony at this examination, shall not  
18                   be a bar or waiver to make such motion at, and is  
19                   reserved for the trial of this action.

20                   This examination may be sworn to by the witness  
21                   being examined before a notary public other than the  
22                   notary public before whom this examination was begun,  
23                   but the failure to do so, or to return the original of  
24                   this examination to counsel shall not be deemed a waiver  
25                   of the rights provided by Rule 3116 C.P.L.R. and

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2 shall be controlled thereby.

3 The filing and certification of the original  
4 of this examination are waived.

5 IT IS FURTHER STIPULATED AND AGREED by and between  
6 the attorneys for the respective parties hereto that  
7 a copy of this examination shall be furnished to the  
8 attorney for said defendant, without charge.

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10 ALBERT E. LANDAU,

11 being first duly sworn by a notary public of the State of  
12 New York, was examined and testified as follows:

13 EXAMINATION BY

14 MR. BELDOCK:

15 Q Please state your name and address for the record.

16 A Albert E. Landau, Redacted - PII

17 Redacted - PII New York.

18 Q What is your position with Marvel Comics Group?

19 A I am the president of Marvel Comics.

20 Q For how long have you been president?

21 A A couple of months.

22 Q At the time of the transaction with Mr. Hoffman,

23 which took place back in the period April through July 1974,

24 or August of 1974, what was your post?

25 A Corporate vice president of the Cadence Industries.

1 Q Can you tell us the structural relationship between  
2 Cadence Industries and Marvel Comics Group?

3 THE WITNESS: Can you help us on that, because  
4 I am never quite sure of the legal structure of anything.

5 MR. SINDER: I believe that in our answer to the  
6 complaint we have indicated the relationship between  
7 them, which was that the Marvel Comics Group is a  
8 division of Cadence Industries.

9 MR. BELDOCK: Is it an unincorporated division?

10 MR. SINDER: That is correct.

11 THE WITNESS: That's why I didn't answer your  
12 question. It's something I was not sure of.

13 Q I take it, then, that Cadence Industries Corpora-  
14 tion and Marvel Comics Group are officed at the same premises?

15 A No.

16 Q Can you tell us where they respectively are?

17 A Cadence is in West Caldwell, New Jersey. Marvel  
18 Comics is 575 Madison Avenue.

19 Q Would you know if Cadence Industries Corporation  
20 is qualified to do business in New York?

21 A I would be almost sure it would be.

22 Q Do you have any official capacity with Cadence  
23 Industries?

24 A As I mentioned to you, I am corporate vice  
25 president of Cadence.

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C E R T I F I C A T E

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STATE OF NEW YORK )

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COUNTY OF NEW YORK )

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I, Garfield Silverstein, a shorthand reporter  
and notary public within and for the State of New  
York, do hereby certify:

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That, ALBERT E. LANDAU, the witness  
whose examination is hereinbefore set forth, was  
duly sworn by me, and that such examination is  
a true record of the testimony given by such wit-  
ness.

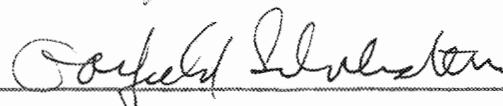
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I FURTHER CERTIFY that I am not related  
to any of the parties to this action by blood  
or marriage; and that I am in no way interested  
in the outcome of this matter.

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IN WITNESS WHEREOF, I have hereunto set my  
hand this 27<sup>th</sup> day of June, 1975.

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